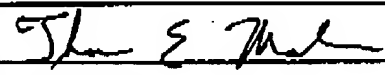
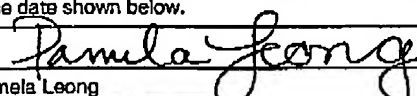


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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/619,739	RECEIVED CENTRAL FAX CENTER JUL 06 2006
	Filing Date	July 14, 2003	
	First Named Inventor	Frederick C. Christians	
	Art Unit	1634	
	Examiner Name	Stephen Thomas Kapushoc	
Total Number of Pages in This Submission	3	Attorney Docket Number	3502.1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Restriction Requirement (2 pgs.) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Affymetrix, Inc.		
Signature			
Printed Name	Thomas E. Malone		
Date	July 6, 2006	Reg. No.	40,078

CERTIFICATE OF TRANSMISSION/MAILING			
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Signature			
Typed or printed name	Pamela Leong	Date	July 6, 2006

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Attorney Docket No. 3502.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frederick C. Christians

Examiner: Stephen Thomas Kapushoc

Serial No: 10/619,739

Art Unit No.: 1634

Filing Date: July 14, 2003

Title: **Synthetic Tag Genes**

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In the June 14, 2006 Restriction Requirement the Examiner has vacated the previous Restriction Requirement of March 3, 2006 and requires an election between the following groups of claims:

- I. Claims 1-21 and 28-30, drawn to DNA molecules with at least one Tag gene classified in Class 536, subclass 23.5.
- II. Claims 22-27, drawn to a method for analyzing gene expression comprising providing a control for an array assay classified in Class 435, subclass 6.

In response to the Restriction Requirement of June 14th, applicants hereby elect without traverse Group I (claims 1-21 and 28-30).

The Examiner further requires (i) election of a specific combination of Tag gene sequences from those enumerated in SEQ ID NOS: 1-2050 and (ii) a specific Tag gene from those enumerated in SEQ ID NOS: 2051-2066, where the Tag sequence in (i) shall be the Tag Sequences that comprise the Tag gene selected in (ii).

With respect to requirement (i) applicants hereby elect without traverse Tag sequences 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 284, 285, 286, 287, 288, 289, and 290. With respect to requirement (ii), applicants elect the Tag I gene sequence.

Applicants reserve the right to re-present non-elected claims in a divisional, or other related application.

Applicants believe that no fee is due with the submission of this document. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

Respectfully submitted,



Thomas E. Malone

Reg. No.: 40,078

Date: 7/6/06

Customer No.: 22886